



10/627,589

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KUSLICH ET AL. Examiner: UNKNOWN
Serial No.: 10/627,589 Group Art Unit: 3732
Filed: JULY 25, 2003 Docket No.: 6683.13USC4
Title: LAPAROSCOPIC SPINAL STABILIZATION SURGICAL METHOD

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Office of Initial Patent Examination, Filing Receipt Corrections, P.O. Box 1450, Alexandria, VA 22313-1450 on April 29, 2004.

By: *David G. Schmaltz*
Name: *David G. Schmaltz*

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Office of Initial Patent Examination
Filing Receipt Corrections
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is a photocopy of the filing receipt from the United States Patent and Trademark Office in the above-identified application showing requested corrections. The filing receipt is erroneous in the following respects as reflected in the papers originally filed:

1. One of the assignee's address is incorrect. It should read --

MAPLEWOOD-- rather than "MINNEAPOLIS."

2. One of the domestic priority data which is claimed by the applicant is incorrect. It should read --WHICH IS A CON OF 08/015,863 02/10/1993 ABN-- rather than "WHICH IS A DIV OF 08/015,863 02/10/1993 ABN."

Correction of the records of the United States Patent and Trademark Office and issuance of a corrected filing receipt are respectfully solicited.

Respectfully submitted,

23552

PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

David G. Schmaltz
David G. Schmaltz
Reg. No. 39,828
DGS:PLStov

Date: 4/29/04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/627,589	07/25/2003	3732	1080	6683.13USC4	19	30	2

23552
 MERCHANT & GOULD PC
 P.O. BOX 2903
 MINNEAPOLIS, MN 55402-0903

DGS



CONFIRMATION NO. 2967
 CORRECTED FILING RECEIPT

 OC000000012106679

Date Mailed: 03/15/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

-- Maplewood --

Stephen D. Kuslich, Minneapolis, MN;
 Douglas W. Kohrs, Edina, MN;

Assignment For Published Patent Application

Sulzer Spine-Tech Inc., Minneapolis, MN;

Domestic Priority data as claimed by applicant

This application is a CON of 09/369,614 08/06/1999 PAT 6,599,320
 which is a CON of 08/902,746 07/29/1997 ABN
 which is a DIV of 08/752,818 11/21/1996 PAT 5,947,971
 which is a CON of 08/482,025 06/07/1995 PAT 5,720,748
 which is a DIV of 08/299,807 09/01/1994 PAT 5,489,307
 which is a DIV of 08/015,863 02/10/1993 ABN

-- CON --

Foreign Applications

A

If Required, Foreign Filing License Granted: 11/05/2003

Projected Publication Date: 04/29/2004

Non-Publication Request: No

Early Publication Request: No

A

Title

Laparoscopic spinal stabilization surgical method

Preliminary Class

606

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).